

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2006 MAY 17 AM 10:13

CLERK B. McCarthy  
SO. DIST. OF GA.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

GARY HUBERT DAVIS,

Petitioner,

v.

TONY HENDERSON, Warden,

Respondent.

CV 106-033

**ORDER**

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, the Clerk is **DIRECTED** to **CLOSE** the captioned case and **FILE** Petitioner's completed § 2254 form and motions to proceed IFP in CV 106-012. Petitioner's habeas claims will be fully addressed in CV 106-012.

SO ORDERED this 17<sup>th</sup> day of May, 2006, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE